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**NOV 07 2005**

Attorney's Docket 068800-0284057

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of:  
MARK B PEPYS

Confirmation No: 4029

Application No.: 09/985,699

Group Art Unit: 1655

Filed: November 5, 2001

Examiner: M.V. Miller

Title: THERAPEUTIC AGENT

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**CERTIFICATION OF FACSIMILE TRANSMISSION  
UNDER 37 C.F.R. §1.8**

I hereby certify that the following papers, consisting of two pages including this cover sheet, are being facsimile transmitted to the Patent and Trademark Office at (571) 273-8300 on the date shown below:

Request for Non-Entry of Supplemental Amendment filed November 1, 2005  
and

Request for Non-Consideration of IDS filed November 1, 2005

**PILLSBURY WINTHROP SHAW PITTMAN LLP**



**THOMAS A. CAWLEY, JR., PH.D.  
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Date: November 7, 2005  
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(Certification of Facsimile Transmission—page 1)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re PATENT APPLICATION of

PEPYS

Group Art Unit: 1654

Application Serial No.: 09/985,699

Examiner: MELLER, M.V.

Filed: November 5, 2001

Title: THERAPEUTIC AGENT

REQUEST FOR NON-ENTRY OF SUPPLEMENTAL AMENDMENT  
FILED NOVEMBER 1, 2005

AND

REQUEST FOR NON-CONSIDERATION OF IDS  
FILED NOVEMBER 1, 2005Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On November 1, 2005, the applicant filed a Supplemental Response Pursuant to 37 CFR § 1.111, Fee Transmittal, Information Disclosure Statement, Form PTO 1449 and one cited reference. At the time of that filing, the applicant was unaware of the Notice of Allowance mailed October 14, 2005. In view of the Notice of Allowance, the applicant hereby requests that the amendment filed November 1, 2005 *not* be entered. Also in view of the Notice of Allowance, the applicant requests that the USPTO *not* consider the IDS filed November 1, 2005 and therefore, *not* charge the fee for IDS consideration.

Any inquiries regarding this matter may be directed to the undersigned attorney at the telephone number listed below.

Respectfully submitted,



By

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